

Effective 5/13/2014

39-6-36 Desertion or absence without leave and other offenses -- Time limit on trial -- Tolling of time limits.

- (1) A person charged with desertion or absence without leave may be tried and punished at any time, within four years after the preferral of charges.
- (2) Except under Subsection (1), a person charged with any offense is not liable to be tried by a military court or punished under Section 39-6-14 if the offense was committed more than two years before the receipt of sworn charges and specifications by an officer exercising jurisdiction as a military court convening authority.
- (3) Periods when the accused was outside the state's jurisdiction to apprehend him, or when he is in the custody of civilian authorities, are excluded in computing limitations of time under this section.

Amended by Chapter 189, 2014 General Session